

REMARKS

This responds to the Office Action mailed on May 18, 2005, and the references cited therewith.

Claims 1, 14, 23, and 27 are amended; as a result, claims 1-31 are now pending in this application.

§103 Rejection of the Claims

Claims 1-3, 7-8, 9-17 and 20-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Makarios et al. (U.S. 6,401,125) in view of Green et al. (U.S. 6,003,084). It is of course fundamental that in order to sustain an obvious rejection that each and every element or step in the rejected claims must be taught or suggested in the proposed combination of references.

Makarios is directed to an interchange between a client and an Internet server. The client retains a proxy cookie that it attaches to requests for information. The request and proxy cookie are sent from the client to a proxy. The proxy then strips the cookie and uses the cookie to identify the requestor for purposes of customizing or personalizing the client's request for information and the proxy passes the personalized request for information on to the Internet server. It can be seen that in this interchange there is no mention or teaching of a transparent proxy. It can also be seen that the client retains and submits the initial proxy cookie. In fact, the proxy is stored on the client.

In Makarios, the authentication information of a client is actually supplied by the client by means of a proxy server cookie that is stored on that client. Conversely, Applicant's amended independent claims now make clear that the enforcement data used to authenticate a client to a transparent proxy process is obtained from a policy module and that policy module is within a same environment as the transparent proxy process. *See E.g.*, Original Filed Specification, page 8, first full paragraph; FIG. 6, *etc.* Thus, in Applicant's invention the enforcement data to authenticate a client to a transparent proxy is requested and is maintained by the transparent proxy and within the transparent proxy's environment. This is clearly not what is taught in Makarios.

Therefore, Applicant respectfully requests that the rejections of the independent claims be withdrawn and the independent claims allowed.

Additionally, Green is directed to a technique for auditing and validating connections between applications. To do this, Green looks at connected applications engaged in communications with one another and validates them against access lists. If a connection is not permissible, the connection is terminated. If a connection is permissible, it is re-established using a transparent process as an intermediary. Green asserts to provide improved firewall security.

In view of this, Applicant does not fully understand the proposed combination being asserted by the Examiner between Makarios and Green, since the two each perform different functions that appear on the surface to be unrelated. That is, Applicant believes a combination of Makarios and Green would yield a dual proxy arrangement, where clients authenticate to a forward proxy (Makarios) using client-stored and client-supplied proxy cookies and where a transparent process audits connections and re-establishes them via a transparent process acting as an intermediary.

Even if Applicant has interpreted this incorrect and assuming that Makarios and Green could be combined, the proposed combination still lacks the limitations cited in the amended independent claims, namely that the transparent proxy requests and receives enforcement data from its environment and not from the client environment as is specifically taught in Makarios. This distinguishing aspect of Applicant's invention actually teaches away from the Makarios reference.

Accordingly, Applicant asserts that the rejections should be withdrawn because even if the proposed combination is as the Examiner has asserted, it still lacks a teaching or suggestion of each and every limitation included in Applicant's amended independent claims. Accordingly, Applicant respectfully request that the rejections be withdrawn.

Claims 4, 6, 18-19 and 29-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Makarios et al. in view of Green et al. as applied to claims 1-3 above, and further in view of Callaghan et al. (U.S. Publication No. 2002/0007317). Claims 4 and 6 are dependent from amended independent claim1, claims 18 and 19 are dependent from amended

independent claim 14 and claims 29 and 30 are dependent from amended independent claim 27; therefore, for the amendments and remarks presented above with respect to claims 1, 14, and 27, the rejections of claims 4, 6, 18-19, and 29-30 should be withdrawn.

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Makarios et al. in view of Green et al. and in view of Callaghan et al. as applied to claim 4 above, and further in view of Birrell et al. (U.S. 5,805,803). Claim 5 is dependent from amended independent claim 1; thus, for the amendment and remarks presented above with respect to claim 1, the rejection of claim 5 should be withdrawn.

Claim 31 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Makarios et al. in view of Green et al. as applied to claim 27 above, and further in view of Lim (U.S. 6,728,884). Claim 31 is dependent from amended independent claim 27; accordingly, for the amendment and remarks presented above with respect to claim 27, the rejection of claim 31 should be withdrawn.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

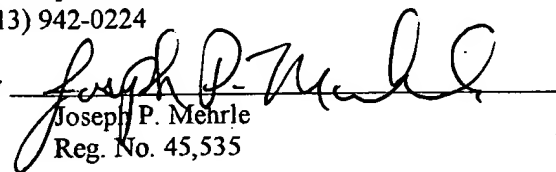
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 18 day of August, 2005.

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